

HONB'E SRI JUSTICE CHALLA KODANDARAM

WRIT PETITION No.5586 OF 2017

ORDER:

The writ petition is filed challenging the notice issued by the respondents under Section 452(2) of the Hyderabad Municipal Corporation Act, 1955 (for short, "the Act").

Even as per the writ affidavit averments, the petitioner did not obtain any permission for construction of the house, however, the petitioner proceeded to construct two floors i.e., ground and first floor. The respondents issued the impugned notice asking the petitioner to submit the explanation within a period of seven days. Questioning the same, the present writ petition is filed.

The contention of the learned counsel for the petitioner is that the petitioner is an illiterate and not aware of the regulations and the petitioner is ready and willing to abide the conditions that may be imposed by the respondents.

Learned standing counsel opposes the writ petition.

Having considered the submissions made at the bar and considering the fact that what has been challenged is the notice issued under Section 452(2) of the Act, the writ petition is disposed of giving liberty to the petitioner to submit his explanation/reply to the impugned notice within a period of ten days from the date of receipt of copy of the order and thereafter the respondent-authorities shall consider and pass appropriate orders in accordance with law within a period of two weeks. Till then, the respondent-authorities shall not take any coercive steps towards demolition of the building of the petitioner. It is also made clear that the petitioner shall not make any further constructions in the meanwhile.

With the above observations, the writ petition is disposed of. No order as to costs.

Miscellaneous petitions, if any pending in this writ petition shall stand closed.

CHALLA KODANDA RAM,J

Date:17.02.2017,

Note:

Issue CC forthwith.

B/o.

Gk.



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Gk